

DISTRICT V ADVISORY BOARD

Minutes

April 2, 2001

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The District V Advisory Board meeting was held at 7:00 p.m. at the Sedgwick County Extension Center, 21st Street & Ridge Road.

Members Present

David Almes
Sean Cash
Bob Bulman
David Dennis
Fran Hoggatt
Vince Miller
Bob Sorenson
Council Member Bob Martz

Members Absent

Maurice Ediger
Margarita Farelle-Hunt
Andy Johnson

Staff

Mike Lindebak, Public Works
Dale Miller, Planning
Kurt Schroeder, Central Inspection
Dana Brown, City Manager's Office

ORDER OF BUSINESS

Call to Order

Council Member Martz called the meeting to order at 7:04. He explained the purpose of the District Advisory Board to act as community advisors to him as the District V Council Member. Although he chairs the Board meetings, the actions do not include a vote by him—even in a tie—as his vote is cast during the City Council meetings. At that time, **Council Member Martz** explained, he considers the feedback of the Board in his vote. He stated that this meeting provides the public with an opportunity to voice their opinion on City issues. However, he asked that the public in attendance at the Advisory Board meetings conduct themselves with the same appropriate behavior that is expected in the Council Chambers.

Approval of Minutes

Council Member Martz asked for correction to the minutes of March 5, 2001. No corrections were noted, and **Dennis (Bulman)** moved that they be approved. Motion passed 7-0.

Approval of the Agenda

Council Member Martz asked that the agenda be revised in order for staff to provide input on an issue to be presented on the public agenda. He stated that one item of public concern would be heard and then a staff presentation on Building Rehabilitation Codes would be given.

Public Agenda

1. Concerns about Area Behind Sluggers

Kay Harding, 1431 Northwest Parkway, presented concerns regarding the area behind Sluggers at Ridge and 13th Street including trash, a dumpster left by the curbing, and lack of landscaping that was to be planted after the area was developed. In addition, the path/alley located behind the building had never been closed off, allowing cars to drive through the grassed area along the tree row.

Council Member Martz introduced Kurt Schroeder, Office of Central Inspection Supervisor, and asked that he look into the situation. **Schroeder** said that he would have inspectors look at tomorrow.

Action: Schroeder will ask his OCI Staff to survey the area.

Staff Presentations/Reports

2. Building Rehabilitation Codes

Kurt Schroeder, Office of Central Inspection, presented a proposed code to regulate the construction rehabilitation and repair of existing buildings including re-use of building and additions to buildings. Schroeder explained that the City's current code typically applies to new construction, not rehabilitation of existing housing. As a result, the code does not clearly outline minimum standards or expectations for either remodeling or adaptive re-use of existing buildings. In an effort to develop a code of standards to meet these construction needs, the City conducted extensive research and study including input from various segments of the development, design, and building community in addition to consumers.

Schroeder reviewed the concepts and benefits of new code with the Board through use of a written summary.

Almes stated that the code appeared to be positive in that it made older buildings more useable and increased their value. **Hoggatt** asked if it was reasonable that approximately 20% of renovation costs are due to accommodation for the disabled to meet American Disabilities Act (ADA)? **Schroeder** said that probably was a valid percentage but this code allows for more flexibility for ADA. **Bulman** asked how a building is affected if its designated use is changed; is an upgrade required? **Schroeder** replied that the situation was based on whether a hazard is determined. **Bulman** asked how hazards were determined and **Schroeder** stated that the Fire Department is involved in determining if a safety hazard exists. **Bulman** asked if the Emergency Management Services (EMS) were also involved, and Schroeder said no. **Dennis** asked if this also applied to schools, and **Schroeder** said it does but the term "work area" delineates the area of improvements. For instance, an entire floor might not need to be upgraded. **Bulman** and **Hoggatt** replied that the code appeared to improve conditions for housing rehabilitation for homeowners.

Bulman (Hoggatt) moved that the code be recommended for approval. The Board voted 7-0 in favor of the motion.

Action: Recommended approval for adoption of the code by a vote of 7-0.

Public Agenda (continued)

3. Character Education

Zenobia Washington, USD 259, presented information on a program for Character Education. She explained that the first phase is to survey the community in an effort to identify priorities for the program. The survey was distributed and Washington asked that it be completed and returned to the district by early May. Washington stated that the input from community groups such as the Board was valuable to the process of developing consensus.

Action: Received and filed.

Public Works Agenda

4. Improvements to Maple Street between 119th Street W. and 135th Street W.

Mike Lindebak, Public Works Engineering, discussed a proposal for reconstructing Maple Street to provide four through-lanes between 119th Street W. and 135th Street W. Included with the reconstruction will be a new bridge to be built at Breezy Point. Construction will begin this year and extend through 2002.

LaDonna Howard, 302 Firefly, Maple Valley area, asked if the ditches along Maple would remain as the drain along the north side to Calfskin Creek and along the south side to the Cowskin Creek. **Lindebak** said that the project would include storm sewer drainage construction, improving the method that the storm water is drained. **Council Member Martz** noted that the storm sewer improvement along Maple and 119th Street is one of the many parts of the plan for improving flood control

Vernon Deines, 130 S. Breezy Point Circle, inquired how the bridge at Breezy Point would be affected. **Lindebak** replied that the bridge would be higher and longer than the existing one, and would take about 4-5 months to construct but that access for the residences would be maintained, including to the Vyne Assisted Living facility. **Jeff Oligoneller, 230 S. Maple Dunes Court, Maple Dunes Homeowners Association**, asked if the culvert to the east of the entrance would be removed. Lindebak said yes, it would be replaced with storm drainage.

Bert Overfield, 601 N. Forestview Court, asked how any of the storm drainage infrastructure would help prevent flooding. **Council Member Martz** stated that if another flood would occur that is equal to the "Halloween" flood in 1998, the improvement would decrease the rise in the water by one foot. **Dennis** asked if Rainbow Lakes didn't flow into the Breezy Point area and what impact that would have on flooding with the improvements. **Council Member Martz** said again that this is just one of several projects that will be needed to prevent overall flooding. **Overfield** asked how private property would be impacted by the need for new bridges and culverts. **Lindebak** explained that the City may need to buy out some property and gave an estimate if this should be necessary. **Overfield** asked why the City didn't buy now what they needed for right of way. **Council Member Martz** said that public financing couldn't always be logical.

Hoggatt asked if the pine trees along Maple would be removed. **Lindebak** said not if they could avoid removing them. **Oligoneller** asked who would be responsible for maintenance of the green space. **Lindebak** said that if the homeowners association (HOA) wanted Fescue grass that they would need to agree to maintain due to the need for frequent mowing. If Bermuda grass were acceptable, the City would maintain along with the shrubs, **Lindebak** explained. He said that the City would construct a drip irrigation system but if the HOA wanted a different type that they would be responsible for installing the system and maintaining it. **Council Member Martz** further explained that the City is only able to mow about every fifteen (15) days. **Hoggatt** said that the HOA has an existing sprinkler system; could the new system be hooked to the existing? **Lindebak** said yes, and that the City would save the sprinkler heads for the HOA. **Deines** asked who to contact about the decision on the type of grass, and **Lindebak** said to call Jan Long in the Parks & Recreation Department.

Bulman asked how the Maple Street project was being funded, and **Lindebak** said that it was both City and federal funding; the local funding is taxpayer dollars due to Maple being an arterial.

Almes (Hoggatt) moved that the Board recommend approval of the project. The Board voted 7-0 in favor of the motion.

Action: Recommended approval of the Maple Street expansion project from 119th to 135th Street by a vote of 7-0.

Council Member Martz reminded everyone that the speed zone through construction projects is twenty miles per hour (20 mph). He said that with the growth in District V that several street projects are or will be underway including construction on Central from Woodchuck to Ridge, scheduled to begin next week and be completed in November. He said that notification letters from Cornejo Construction had been sent to residents and businesses along this area of Central.

Planning Agenda

- 5. CON2001-0009 - Request for a Conditional Use at Lark and Harry/Kellogg Drive**
Dale Miller, Planning Department, presented information regarding a request to change from General Commercial "GC" to Conditional Use "CU" to allow for a car wash at the southwest corner of Lark and Harry/Kellogg Drive intersection, directly south of US Highway 54 (Kellogg). Miller explained that the Metropolitan Area Planning Commission had approved the request on March 9, 2001 but due to resident protests, the District Advisory Board is reviewing the request. Miller stated that the protests represented approximately 12.45% of the adjacent residents.

Almes asked how the Kellogg expansion might affect this request; **Miller** replied that it wouldn't affect it due to access from the frontage road—Harry/Kellogg Drive, or from Lark. **Hoggatt** asked how the remaining railroad tracks would affect it. **Miller** said that the City is interested in obtaining as right of way. **Council Member Martz** added that the City would like the bridge addressed due to flood control.

Almes asked if the property was at risk for being bought out for the expansion. **David Allen, request applicant**, asked to answer the question, saying that the property needed had already been bought out.

Sorenson asked if Planning knew the reasons for the protests. **Miller** replied that most of the concerns were noise but that some were related to a history of trash and debris at the site. **Allen** asked to address the issue and explained that he had previously leased the site for an auto bodywork business and that storage of vehicles and parts had not been handled well. He said that he would be building a six-foot fence and that the structure for the car wash would be two hundred (200) feet from the residential property line.

Bulman asked if vacuums would be available, and **Allen** said they would be on the north side of the car wash, furthest away from the residential area. **Vince Miller** asked if dryers would be included, and **Allen** said no. **Dennis** asked if the car wash would be open twenty-four (24) hours, and **Allen** said yes. **Dennis** asked about lighting, and **Dale Miller** said the lighting was part of the conditions that would be addressed in the revised site plan, as recommended by Planning staff in the approval by MAPC. The site plan is to be reviewed and approved by the Planning Director prior to receiving a building permit.

Bulman (Hoggatt) moved that a recommendation be made for approval of the request. The Board supported the motion through a 7-0 vote.

Action: Recommended approval by 7-0 of the request for a conditional use.

6. ZON2001-00013 and CON2001-00021 – Request for a zone change from Family Residential, “SF-6,” to “GO,” General Office with a Conditional Use

Dale Miller, Planning Department, presented information on the request to change the current zoning of Single Family Residential to General Office with a Conditional Use to permit “animal care, limited” (small animal veterinary clinic). He explained that the applicant would like to convert the garage on the east end of an existing home to a veterinary clinic. Planning staff has recommended denial. However, if the MAPC should express that the request is appropriate, the staff has identified certain conditions for approval of the Conditional Use, reported Miller, referring to page three of the Staff Report for the case.

One of the conditions is moving the existing drive on the property to a “different location that would function better with respect to the “S” curve on Central” due to a history of car accidents occurring at that site including many that have caused structural damage to the garage. Public Works Traffic Engineering staff will be considering the traffic situation this week. Another condition required would limit the size of the animal clinic to 1,000 square feet. The applicant’s plan proposes a clinic size of 4,000 square feet.

Hoggatt asked if the City plans to widen Central, and, if so, how that would affect the curve. **Dennis** replied that he thought it was planned for 2006. Some discussion took place on whether the street would then be moved to the north of south of its current path. **Almes** asked why Central was S-shaped at that point, and **Miller** explained it was due to the creek. **Council Member Martz** stated that the creek is part of the floodway, requiring Central to be built around the creek. As President of the Rainbow Lakes East Homeowners Association,

Dennis said that his HOA in addition to Rainbow Lakes Fourth Addition, Rainbow Lakes West, and other HOAs in the area were opposed to the conditional use request. He explained that several reasons had been identified for their opposition: unsuitable for the area; not in accordance with the Master Plan; unsuitable with the traffic conditions; and, potential for noise and pollution from the animals.

Council Member Martz asked if other alternatives might be considered. **Libby Erickson, Rainbow Lakes West**, expressed that the residents were concerned about future development in the area, especially if Central is straightened. **Council Member Martz** stated that he understood her concern, and that he was asking for their thinking on other options. **Maureen Kimbel, 528 Rainbow Lakes Road**, stated that the area is not conducive to commercial traffic issues. **Council Member Martz** again stated that he understood the concerns of the residents. He noted that decisions regarding future changes to this portion of Central would be affected by the creek with its regulations of being designated a floodway. A question regarding the original covenants was asked. Council Member Martz stated that this might be related to the zone change.

Dennis (Almes) moved to recommend support of the staff report to deny the request. The motion was supported by a 7-0 vote.

Action: Recommended denial of the request by a 7-0 vote.

Board Agenda

7. Community Police Report

Community Police Officers for District V were not available to report on specific concerns for the area.

Other

8. Updates

Council Member Martz provided several updates and reviewed several issues of interest for the Board.

- MAPC and Council approved the request for a telecommunications tower at Central & Ridge.
- Redistricting is likely to occur again in the near future due to growth through annexations. An updated map of the City's boundaries in District V was provided.
- Spring Clean-Up Days with free dumping at Brooks Landfill is scheduled for April 28-29.
- Order-in paving for Carr Street will be considered by the Council in May with opportunity for public input. The 20% payment by the two businesses at the east end of Carr has been accepted, bringing the cost to seven cents per square foot. The requirement for residents to help pay for two streets will prepare for the paving of Pawnee, if the land to the south is developed and annexed.
- The Council postponed consideration of converting one-way streets downtown to two-way.

- Council Member Martz received a letter from the Benjamin Hills Homeowners Association, District VI, identifying their concerns for traffic access if a bridge is constructed over the floodway at 21st Street.
- Council Member Martz received a letter from the Kansas Department of Health and Environment notifying him that a permit had been denied to the County to place a construction and demolition landfill at Brooks.
- Employees of Royal Caribbean Cruiselines have volunteered to help plant shrubs and lay sod at the Auburn Hills Golf Course on April 28. The opening is scheduled for May 18 with a golf tournament.
- Hoggatt reported that the Friends of the Library book sale would be held soon.
- Hoggatt also commented her pleasure in the approval of the Council salary increase.

The next scheduled meeting of the District V Advisory Board will be held on May 7, 2001 at 7:00 p.m. in the Meadowlark Room at the Sedgwick County Extension Center.

With no further business, the meeting was adjourned.

Respectfully submitted,

Dana Brown
Neighborhood Assistant
District V

Guests

David Allen	10817 W. Kellogg
Mark Braynock	Vyne at Meadows Park, 12221 W. Maple
Paul & Kay Harding	143 Northwest Parkway
LaDonna Howard	302 Firefly Street
George Walta	10630 Carr
Bert Overfield	601 N. Forestview Court
Jeff Oligoneller	230 S. Maple Pines Court
Kyle Baker	608 Rainbow Lakes Road
Cary Mauck	13210 W. Central
Robert L. Vincent	538 N. Rainbow Lake Road